http://www.theage.com.au/it-pro/business-it/privacy-complaints-leap-as-companies-struggle-with-compliance-20150504-1mzcvc.html

**Privacy complaints leap as companies struggle with compliance**

Date

May 4, 2015

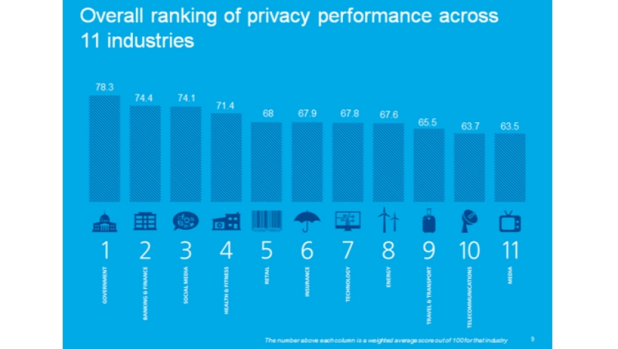


Australian Privacy Commissioner Timothy Pilgrim believes consumers are becoming more aware of their privacy rights.*Photo: Michele Mossop*

More than half of all major Australian companies recently examined by Australia's Privacy Commissioner have failed to comply with privacy rules.

Privacy Commissioner Timothy Pilgrim said that 55 per cent of the 20 top websites run by the companies examined published inadequate privacy policies, while privacy-related complaints had leapt 43 per cent in the year since the nation's privacy laws were revamped.

The companies surveyed included the "big four" Australian banks; social media sites Instagram, LinkedIn and Twitter; the Department of Human Services; and major media outlets including news.com.au, ninemsn.com.au, *The Guardian* Australia, Yahoo!7 and *The Sydney Morning Herald*, owned by Fairfax Media, publisher of this article.



Government agencies performed the best out of 11 industry sectors when it comes to handling users' personal data and privacy.*Photo: Deloitte*

A separate report from Deloitte Australia, also launched on Monday to coincide with Privacy Awareness Week, found more than a third of consumers had experienced privacy "issues" with Australian companies.

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The findings come just over a year after the Office of the Australian Information Commissioner (OAIC) introduced [revamped privacy rules](http://www.theage.com.au/it-pro/business-it/privacy-deadline-nears-are-you-ready-20140203-hvb0w.html) for government agencies and businesses, as well as increased powers for the Privacy Commissioner.

The OAIC's report found the privacy policies of the websites surveyed did not sufficiently meet the first Australian Privacy Principle (APP) outlined in the new rules. Privacy Principle 1 requires organisations to have a clearly expressed, easy to find and up to date privacy policy on their website.

While all organisations' privacy policies successfully outlined what personal data was collected from visitors and how, some organisations "had not carefully considered their policy against their obligations" under the APPs, the OAIC said.

This included a failure to disclose how individuals could access or correct their personal data; how they could make a privacy complaint to the organisation; how their personal data was protected and whether their data was likely to be sent offshore.

Forty per cent of the organisations surveyed did not outline how they would deal with a privacy complaint.

In the year since the changes, privacy complaints to the OAIC jumped 43 per cent to 4016.

Mr Pilgrim said consumers were becoming more aware of their privacy rights but also noted an increase in complaints after "some significant data breaches".

"It is clear that  people are more willing to exercise their rights and taking action where they consider their privacy has been compromised," Mr Pilgrim said.

Deloitte's inaugural Australian privacy index, which surveyed more than 1000 consumers about 104 leading Australian brands across 11 industries, found some 33 per cent of Australian consumers had experienced a "privacy issue" with an organisation but only 14 per cent had complained.

Most of the reported data breaches involved the accidental loss or release of data; communications being sent to the wrong person; a lack of basic security controls and poorly trained staff.

Fifty-eight per cent of privacy complaints related to social media and telecommunications companies, the index showed.

Deloitte ranked the telecommunications sector 10th out of 11 sectors in terms of its handling of users' privacy and media companies were ranked last overall.

However, social media companies ranked high in the index at number three, indicating a gap between users' perception of how the sector handled their personal data and its actual performance.

Social media sites had "transparent, user-friendly and supporting education materials on how to use their services", Deloitte said, and used the least number of third-party cookies; tools which track users' browsing history.

Government agencies exhibited the best privacy practices, followed by the financial sector.

Organisations that did well had clear privacy policies that were often supported by extra material; fewer third-party cookies, and/or ones that only remained on a consumer's device temporarily and, importantly, they built trust with their users through transparency, such as through voluntarily reporting data breaches, Deloitte said.